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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRENCE HODGKIN,

Defendant.

Case No. 2:16-cr-00355-KJD-VCF

ORDER

Before the Court for consideration is the Report and Recommendation (#36) of Magistrate Judge Ferenbach, entered May 24, 2017, recommending that Defendant's Motion to Suppress Evidence Due to Fourth Amendment Violations (#18) be denied. Defendant timely filed Objections to the Magistrate Judge's Report and Recommendation (#40) pursuant to Local Rule IB 3-2. The Government filed a response to Defendant's Objections (#44).

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. Specifically, it reviewed the recording and transcript of the May 5, 2017 hearing regarding Defendant's Motion to Suppress (#18), and considered Defendant's arguments requesting a de novo hearing for a credibility determination as to Officer Diaz. The Court finds a rehearing is unnecessary, and that it can make its determination on the record alone. The

1 Court determines that the Report and Recommendation (#36) of the United States Magistrate Judge
2 entered May 24, 2017, should be **ADOPTED** and **AFFIRMED**.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
4 (#36) entered May 24, 2017, are **ADOPTED** and **AFFIRMED**, and Defendant's Motion to Suppress
5 Evidence Due to Fourth Amendment Violations (#18) is **DENIED**.

6 DATED this 4th day of December 2017.

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10 Kent J. Dawson
11 United States District Judge
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